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REMARKS/ARGUMENTS

Claims 2 and 4-7 are pending in this application. By this Amendment, Applicant amends claim 2.

Claims 2 and 4-7 were rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite. Applicant has amended claim 2 to correct the informality noted by the Examiner. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 2 and 4-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada et al. (U.S. 6,420,941) in view of Umebayashi (JP 11-068412). Applicant respectfully traverses this rejection.

Claim 2 has been amended to recite:

"A nonreciprocal circuit device comprising:

magnetic body having a rectangular parallelepiped shape, said magnetic body including three center conductors arranged to intersect one another at a predetermined angle, provided in an electrically insulated state from one another, and one of which is disposed substantially parallel with one side of the magnetic body,

wherein **each of said three center conductors includes a plurality of conductors, and an inter-conductor spacing of the center conductor which is disposed parallel with one side of the magnetic body is set to be wider than an inter-conductor spacing of each of the two other center conductors.**" (emphasis added)

With the unique combination and arrangement of elements recited in Applicant's claim 2, including the feature of "each of said three center conductors includes a plurality of conductors, and an inter-conductor spacing of the center conductor which is disposed parallel with one side of the magnetic body is set to be wider than an inter-conductor spacing of each of the two other center conductors," Applicant has been able to provide a nonreciprocal circuit device which as an improved reflection characteristic of the port of the center conductor which is disposed parallel with one side of the magnetic body (see, for example, the first full paragraph on page 3 of the originally filed

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specification).

The Examiner acknowledged that Okada et al. fails to teach or suggest an inter-conductor spacing of the center conductor parallel with one side of the magnetic body that is set to be wider than that of the two other center conductors. However, the Examiner alleged that Umebayashi teaches that an inter-conductor spacing Wk of the center conductor 53 is set to be wider than that of the other two center conductors 51, 52. Thus, the Examiner concluded that it would have been obvious "to use the conductor spacing design of Umebayashi in Okada et al., for the purpose of reducing the size of the device." Applicant respectfully disagrees.

Although Umebayashi teaches one center conductor 53 which has an inter-conductor spacing Wk that is wider than the inter-conductor spacing of the other two center conductors 51, 52, the magnetic body 4 of Umebayashi is circular. Since, by definition, the circular magnetic body 4 of Umebayashi does not have straight sides, Umebayashi clearly fails to teach or suggest the features of "each of said three center conductors includes a plurality of conductors, and an inter-conductor spacing of the center conductor which is disposed parallel with one side of the magnetic body is set to be wider than an inter-conductor spacing of each of the two other center conductors" (emphasis added) as recited in Applicant's claim 2.

In addition, Umebayashi fails to teach or suggest that the center conductor arrangement disclosed therein could or should be used with a rectangular magnetic body, or how the center conductors would be arranged with respect to a rectangular magnetic body.

Since, as acknowledged by the Examiner, Okada et al. fails to teach or suggest any center conductor having an inter-conductor spacing that is wider than that of the other center conductors, neither Umebayashi nor Okada et al. teaches or suggests the features of "each of said three center conductors includes a plurality of conductors, and an inter-conductor spacing of the center conductor which is disposed parallel with one side of the magnetic body is set to be wider than an inter-conductor spacing of each of

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the two other center conductors" as recited in Applicant's claim 2.

The Examiner has completely failed to provide any explanation or specific reference to exact teachings in the prior art references to support the allegation that the combination of Okada et al. and Umebayashi teaches each and every feature recited in Applicants' claim 2, including the features of "each of said three center conductors includes a plurality of conductors, and an inter-conductor spacing of the center conductor which is disposed parallel with one side of the magnetic body is set to be wider than an inter-conductor spacing of each of the two other center conductors." In particular, the Examiner failed to explain why the center conductor having a wider inter-conductor spacing of Umebayashi would or should be arranged parallel to one of the sides of the magnetic body of Okada et al.

Instead of basing the conclusion of obviousness on actual teachings or suggestions of the prior art and the knowledge of one of ordinary skill in the art at the time the invention was made, the Examiner has improperly used Applicant's own invention as a guide. It is impermissible to use the claimed invention as an instruction manual or 'template' to piece together the teachings of the prior art so that the claimed invention is rendered obvious. The Federal Circuit has previously stated that one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. In re Fritch, 972 F.2d 1260, 23 USPQ 2d 1780, 1784 (Fed. Cir. 1992).

Accordingly, Applicant respectfully submits that Okada et al. and Umebayashi, applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in Applicant's claim 2.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Okada et al. in view of Umebayashi.

In view of the foregoing amendments and remarks, Applicant respectfully submits that Claim 2 is allowable. Claims 4-7 depend upon claim 2, and are therefore allowable

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for at least the reasons that claim 2 is allowable.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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